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GIVE THEM A ‘HAND’

An Archaeo–Literary Study of Toilet Practices at Khirbet Qumran and their Implications

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1. INTRODUCTION

While the toilet practices of a Jewish sect living in a remote area of the Judean desert may seem an obscure (and slightly distasteful) topic to most audiences, the subject has a direct bearing on the modern study of Khirbet Qumran and of those texts which have given it fame in modern times, the Dead Sea Scrolls (DSS). Chief among the reasons for this is the honored place the Jewish group known to us as the Essenes has long held in DSS scholarship. Discussions of the material and theological culture at Qumran almost invariably incorporate at least some discussion of the Essenes,¹ and have done so since E. L. Sukenik became the first scholar both to see the Scrolls and to hypothesize an Essene connection to them.² Toilet practices, in turn, are an important component of any discussion of the Qumran–Essene connection because this unique group, which the Jewish historian Flavius Josephus listed as one of the “three different sects among the Jews” in the late Second Temple period (*Antiq.*, 13.5.9:171), is defined in part by its members’ unusual relief regimen, which Josephus described in some detail in his *Wars of the Jews* (2.8.9:147–149).

When considering the literary evidence for toilet practices at Qumran, portions of four texts are of primary value. Two of these, the Temple and War Scrolls, come from the DSS corpus, while a third, Deuteronomy 23:13–15, appears to be the scriptural source which the author(s) of the former texts used as their jumping–off point. The fourth is neither biblical nor a potential product of this Dead Sea community, but the aforementioned work of history by Josephus, which provides (among other things) a description of some of the Essenes’ unusual practices.

The material evidence most relevant to this subject is an installation uncovered in Locus 51 of Khirbet Qumran, which the excavator, Fr. Roland de Vaux, identified as a toilet and cesspit dating to the pre–31 BC ‘Period Ib’ of the site’s occupation (Figures 1–2; see also below, §3.1). De Vaux’s identification of the facility as a cesspit has been accepted by some scholars (*inter alia*, Fritsch, 1955: 175; 1972: 5; Magness, 1996: 343; 1998: 38–9; 2002: 105f; Charlesworth, 2002: 58; Atkinson, 2004: 365; Harrington, 2006: 405–6; Klawans, 2010: 393–4), though certainly not by all (e.g., A. Baumgarten, 1996; 2006; Hirschfeld, 2004: 100; Magen and Peleg, 2006: 65; see below, §3.1.1 and §3.3). The identification of this installation is important to the study of Qumran and the DSS because, if de Vaux and those who follow him are correct and the installation is

in fact a toilet, then one of the longest-held scholarly beliefs about the Qumran community – that it was made up of people who lived their lives in the way Josephus described the Essenes – would have to be reassessed, as the presence of a toilet facility within a community of such people would seem to be untenable.

It is important at this point to note that the purpose of this paper is to examine the available material evidence for latrine facilities and toilet practices at Khirbet Qumran in the light of relevant texts. Though it will by necessity touch on the subject multiple times during the course of the study, it is likewise important to note that this purpose does *not* include making a definitive evaluation or statement on the Essene nature of the settlement at Qumran. That debate is still ongoing among numerous scholars of the site and of the Scrolls, and it is one which will neither be solved overnight, nor through the investigation of a single aspect of life during its periods of habitation.

Within this study, though, it will be demonstrated that an inspection of the available literary evidence reveals what appear to be irreconcilable differences. Further, a review of the material evidence from Qumran and its environs will show that those physical remains from the site about which objectively credible conclusions can be drawn appear tell an altogether different story from those literary accounts which have to date been considered relevant.

2. THE LITERARY EVIDENCE

From the outset, it should be noted that each of the four texts which are most relevant to this study – Josephus' *War*, Deut. 23:13–15, and the Temple and War Scrolls – contains a different description of, or set of requirements for, the toilet practices of its subjects. A prime example of this is the set of requirements regarding the placement of latrines (literally “the hand” in the biblical text and the DSS)³ and excrement disposal methods, which vary greatly from text to text when they are prescribed at all. As will be seen below, some of the differences are slight (such as between Deuteronomy and the War Scroll), while some are significant (e.g., between Josephus and the two Qumran texts). However, despite their differences, one theme is constant in these literary sources: the status of excrement as impure, which requires that defecation be conducted at a significant distance from an individual's place of habitation or from the nearest settlement.

2.1 Josephus

In *The Wars of the Jews*, Josephus offers a brief but fairly thorough description of Essene toilet practices as he understands them, a fact which suggests that they deviated enough from the cultural norm of the day to be worth noting in some detail (A. Baumgarten 1996: 12; Magness 1998: 39). Given the identification of the Qumran sect as Essene by a majority of scholars, the

following description of Essene toilet practices contained in *War* is the baseline against which all evidence from Qumran (and its interpretation) must be judged:

“¹⁴⁷...[The Essenes] are stricter than any other of the Jews in resting from their labors on the seventh day; for they not only get their food ready the day before, that they may not be obliged to kindle a fire on that day, but they will not remove any vessel out of its place, nor go to stool thereon. ¹⁴⁸Nay, on the other days they dig a small pit, a foot deep, with a paddle (which kind of hatchet is given them when they are first admitted among them); and covering themselves round with their garment, that they may not affront the divine rays of light, they ease themselves into that pit, ¹⁴⁹after which they put the earth that was dug out again into the pit; and even this they do only in the more lonely places, which they choose out for this purpose; and although this easement of the body be natural, yet it is a rule with them to wash themselves after it, as if it were a defilement to them.” (2.8.9:147–149)⁴

There are many interesting and unique aspects of the practices described here, the most obvious of which is the regimen of refraining from defecation on the Sabbath. Of this particularly unique practice, which does not appear to have been undertaken by any other Jewish groups of this time, more will be said below (§4).

Also of note is the Essenes’ use of a “paddle” or “hatchet” to bury their excrement, which calls to mind the directive in Deuteronomy 23:14 requiring the use of a “spike” for the same purpose (see below, §2.2). In 1959, de Vaux hypothesized that an adze–axe blade⁵ found in Cave 11 at Qumran (Figure 3) may have been just such a “hatchet” as that which is mentioned in *War* and in Deuteronomy, and which Josephus says was presented to each Essene upon admission to the sect. However, despite his belief in a Qumran–Essene connection, de Vaux was careful to note that the purpose of this adze–axe blade cannot be established with any certainty, noting that it may just as easily have been used to cut wood as to dig makeshift Essene latrines (1959: 406).⁶

Finally, Essene practice of defecating only in “the more lonely places,” and covering themselves while they undertake this natural activity, is also noteworthy, and will also be discussed in greater detail below (see particularly §2.3 and §4).

2.2 Deuteronomy 23:13–15

A brief passage in Deuteronomy 23 (vv. 10–15) describes physical purity rules which are specifically applicable to the Hebrew military camp, with a special focus on personal hygiene and physical cleanliness (Bokser 1985: 280; Levinson 2004: 419). Verses 13 through 15 of this passage deal with practices regarding “the hand.” These verses read:

“¹³Further, there shall be an area for you outside the camp, where you may relieve yourself. ¹⁴With your gear you shall have a spike, and when you have squatted you

shall dig a hole with it and cover up your excrement. ¹⁵Since the Lord your God moves about in your camp to protect you and to deliver your enemies to you, let your camp be holy; let Him not find anything unseemly among you and turn away from you.” (Deut. 23:13–15)⁷

This biblical passage contains two obvious similarities to Josephus’ description of Essene toilet practices: the requirement that individuals relieve themselves outside of the camp or city, and the requirement that they bury their excrement.⁸ While the reason for the former is not explicitly given, the latter is commanded for the purpose of maintaining physical purity in the presence of the Lord, who is regarded as being present in the war camp – a common feature of this biblical text and two DSS which are based in part upon it.

2.3 The Temple Scroll

The Temple Scroll (11QT) is a “re–presentation of biblical law” (VanderKam and Flint 2002: 212) which describes the construction and layout of the ideal holy city, and which provides direction on Temple practices, purity, and sacrifice. Included in these instructions is a brief but detailed description of both the placement and the construction of latrine facilities for the use of all who inhabit this ideal city:

“You are to build them a precinct for latrines outside the city. They shall go out there, on the northwest of the city: roofed outhouses with pits inside, into which the excrement will descend so as not to be visible. The outhouses must be three thousand cubits⁹ from any part of the city.” (11Q19, 46:13–16)

The similarity to Josephus and to Deuteronomy is most evident in the requirement that defecation take place at a significant distance from the settlement, though the Temple Scroll adds the 3,000 cubit distance requirement and replaces the manual burial of excrement with specifically–constructed cesspit outhouses. As Werrett (2007: 173) notes, forcing “residents of Jerusalem¹⁰ to...walk 3,000 cubits in order to relieve themselves in the city’s only latrine” would be a “highly impractical” undertaking.¹¹

Though the world of the Temple Scroll appears to be, as Werrett puts it, “totally at odds with the practicalities of everyday life” (*Ibid*), J. Baumgarten has argued that its author(s) sought to apply its tenets “to the existing Temple in Jerusalem,” rather than simply to a future ideal sanctuary (1978: 588).¹² This assertion raises several questions, most of which are outside the scope of this paper. However, it is clearly relevant to note that, if the Temple Scroll was seen to be applicable to the Temple at that time, and if the Qumran sect saw itself as a replacement (in absentia) for the corrupt Jerusalem Temple (cf. 1QS 8:4–8; A. Baumgarten 1996: 12; Conway 2000: 103–4; Magness 2002: 113; Zangenberg 2004: 369), then the nearest evidence of a latrine dating to the period of Qumran’s inhabitation should be at least 3,000 cubits from the settlement (and def-

initely not within the site itself) – a requirement which the geography of Qumran made impossible to comply with (Zias et al. 2006: 634 n.11; Werrett 2008: 477).

2.4 The War Scroll

The War Scroll (1QM) is an eschatological text which describes the final war between the Sons of Light, accompanied by divine angels, and the Sons of Darkness, who are made up of “Belial and the forces of his dominion” (18:1). This opponent includes the traditional enemies of Israel as well as those Jews who have chosen by default to align themselves with darkness rather than with the side representing goodness and purity. Column 7 of the War Scroll addresses the age requirements for membership in the army of the Sons of Light (7:1–3a), as well as the purity-related grounds for exclusion (3b–6). Largely patterned after Leviticus 21 and Deut. 23:10–15, this brief catalog is followed by guidelines for the placement of latrine facilities in relation to the war camp itself. Though it differs the Temple Scroll in distance and latrine construction, the directive is similar to 11QT in that it too contains a departure from the Deuteronomic prescription (and Josephan description) of simply burying excrement out of sight of the city or camp. The author writes:

“There shall be a distance between all their camps and the latrine of about two thousand cubits, and no shameful nakedness shall be seen in the environs of all their camps.” (1QM, 7:6–7)¹³

Purity is stressed in Col. 7 of 1QM because, as with Deut. 23, there is to be a divine presence in the camp which cannot abide impurity or imperfection (7:6). As Klawans notes (2010: 393), the combination of the distance restrictions placed on the location of latrines in the Temple and War Scrolls, and Josephus’ dual descriptions of the Essenes as refusing to relieve themselves on the Sabbath and as viewing defecation as a defilement suggests “that the sectarians – unlike the later rabbis – viewed excrement as a source of ritual defilement.” Interestingly, though the distance requirement contained in 1QM is a clear augmentation of Deut. 23:13–15’s directive to inhabitants to relieve themselves outside of the war camp, the method of disposing of the resulting waste, which is included in the biblical passage, is noticeably absent from the War Scroll.

2.5 4Q472a

One additional Scroll which should be mentioned in conjunction with Qumran toilet practices is 4Q472a (formerly 4QHalakha C). Originally published by Elgvin in *DJD* 35 (1999: 155–6), this fragment has been thought to refer to the treatment of excrement. As initially published, it read:

“...to cover excrements. If he does not[...] a vessel according to [...] regarding a dee[d...].” (4Q472a: 1–5)

This brief text was significant within the Dead Sea corpus because it was thought to contain the only reference to the active toilet practices of the Qumran sect, and because of that reference's similarity to Josephus' description of the Essenes' policy of burying their excrement (Harrington 2004: 106; Magness 2002: 110, but see Werrett 2008: 484 n.29 for a revision of Magness's position). However, this text has since been further studied using infrared photographic technology, and a new reading proposed (Elgvin and Werrett 2007: 261f). This new reading is:

“...and hasten, awake(?) [He]will gather (the) tribes of (his) delight, to pla[nt them in]all his kneaded dough will be ea[ten(?)]...therefore his peo[ple]...” (Werrett 2008: 484)

As a result of this significant revision, Elgvin and Werrett have recommended that 4Q472a “be removed from the category of halakhic texts and reassigned to the parabiblical material,” and “re-named ‘4Q*Eschatological Work C*’ (2007: 268). The proposed repurposing of this fragment accompanies the removal of any content relating to “excrement or ritual purity” (Werrett 2008: 484), a dramatic shift for a fragment once thought to refer to the rules regarding toilet practices at Qumran.

3. THE MATERIAL EVIDENCE

3.1 Locus 51

In his 1953 survey of the southeastern portion of the Qumran complex, de Vaux found an installation in Locus 51 consisting of a ceramic pipe approximately 11 cm in diameter protruding from an approximately 60 cm deep¹⁴ rounded container or “conical bell” of unbaked clay (Figures 4–6). This clay container, which lacked a constructed bottom, was filled with “a fine succession of stratified layers of dirty earth” (Humbert and Chambon 2003: 30). In his field notes, de Vaux wrote of the installation, which appears to date to Period Ib of the site (pre-31 BC), “*Aucun doute, c’est une fosse d’aisance en puits perdu,*” and within the catalog of L51 finds he listed the pipe as “*orifice de la fosse d’aisance*” (Humbert and Chambon 1994: 309).

Loci 48–49, into which the doorway from L51 opened, appear to have contained one of Qumran’s many *miqva’ot*, or pools used for ritual purification. As A. Baumgarten (1996: 12) notes, priests in the Temple were expected to take an immersion bath after defecating (cf. also Magness 2002: 112 and Zangenberg 2004: 369); therefore, if the Qumranites did indeed view themselves as representatives of the Temple priesthood in exile, as some of the Scrolls appear to suggest, this may further support the interpretation of the L51 installation as a toilet.

3.1.1 Ancient Toilet Facilities in Context

Attempts to compare the L51 installation to other latrine facilities of this time period in order to determine its function are problematic for three main reasons. First, despite some examples from the eighth-seventh centuries BC in Jordan and the seventh-sixth centuries in Jerusalem (see §3.1.2), the best examples of ancient toilets postdate the settlement at Qumran, and nearly all come from Roman cities, a fact which at least somewhat limits their potential to serve as analogs for study of the Qumran facility. Second, the latrines for which the best knowledge exists are either public installations, or private facilities constructed for simultaneous use by multiple individuals, such as that at Caesarea Maritima (Horton 1996: 177, 181 n.15, 183–4). The Roman toilet facilities which are best known to us were located in public bathhouses, where they generally lined three walls of a room and featured either wooden or stone seats, under which flowed water from the baths (Neudecker 1994: 39; Horton 1996: 183; Magness 1998: 37; Figures 7–8).¹⁵ Few private latrines have been excavated or published, with Pompeii currently standing as the chief exception (Jansen 1991: 145; 1997).

Third, as Jansen notes, “comparatively little research had been done on...drainage systems and sanitation [including latrine facilities] in Roman houses [because] there are only a few sites that are suited for this kind of research” (1991: 145). Individual latrines did exist in some private homes in the periods surrounding Qumran’s inhabitation, though relatively little is known about them at this time. Beebe (1975: 95) states that toilets from the Hellenistic period “have been found in good condition in houses at Umm [el]–Djimal in southern Syria,” though the only facility he specifically references is that previously published by Butler in the early 20th century AD (1919: 182, 204).¹⁶

Ancient toilets are difficult to identify even when numerous analogs are present – a fact which makes the effort to identify the cryptic L51 installation at Qumran that much more challenging. Jansen’s (1997: 122) criteria for the identification of private Roman toilets, for example, “a small room or part of a room with the visible remains of a seat and/or a tiled, sloping floor,” are not reflected at Qumran, save possibly for the required indoor space (on toilet seats, see also below, §3.1.2). Further, Hirschfeld calls the proposition that the L51 installation is a toilet “intrinsically implausible” because of a lack of water channels which would be required for flushing. He declaring that it “seems unlikely that the occupants of the main building would have tolerated the nuisance caused by the location of such a toilet within the structure” (2004: 100). While the odors associated with an unflushable indoor toilet may indeed have posed a “nuisance” to those who lived in, or utilized, the main building at Qumran, such an arrangement is not without precedent in the Hellenistic and Roman worlds near the turn of the era. In fact, many toilets – particularly in domestic buildings – were constructed over cesspits which lacked any piping whatsoever, or which contained “drains” which evidently served only to carry the excrement deeper into the pit (Jansen 1997: 127).¹⁷ As with the Porta–Potties which are ubiquitous at construction sites and outdoor events today, excrement was allowed to pile up within these ancient cesspits until they became full, at which point they were manually emptied (Hodge 1992: 336).¹⁸

Further, just how severe a “nuisance” a toilet would have been to those using the building in which it resided is a matter of perspective. For example, houses at Pompeii exemplify the Roman tradition of constructing cesspit toilets either in the kitchen or in doorless, unventilated adjoining rooms (Scobie 1986: 409; Hodge 1992: 336),¹⁹ while the type-house from Augusta Raurica, a second century AD Roman city in what is now eastern Switzerland, also features a *latrinus* within the kitchen itself (Figure 9). This geographic distribution underscores the widespread nature of the Roman association of bathroom and kitchen.²⁰ Thus, though the isolated settlement at Qumran and the urban environs of Rome and her provincial centers featured different populations and cultures, the claim that an indoor latrine with no true flushing capacity (which was the type most often employed in private Roman buildings at this time) would have been categorically untenable to Qumran’s inhabitants does not hold up under scrutiny.²¹

3.1.2 The City of David and the L44 ‘Cheminée’

The find most relevant to identifying the Qumran facility may not be the latrines built into Roman luxury baths or present in Roman or Hellenistic households, but two seventh-sixth century BC cesspit toilets with limestone seats found in the City of David, which are only briefly described by Cahill et al. in *Biblical Archaeology Review* (1991; Figures 10–11).²² The lack of information on piping or flushing provided by Cahill suggests that these toilets, like the domestic Roman latrines mentioned above, were composed only of simple, static cesspits in which excrement was collected until emptying was required. Also like their later Roman counterparts, and *contra* Hirschfeld’s protest, these toilets were located within larger structures, suggesting that even at this time such a “nuisance” as flushless indoor latrines was “tolerated” by those who made use of the buildings which housed these facilities (2004: 100).

No remains of a toilet seat have been found in the vicinity of the Qumran installation. Magness (1998: 38) has proposed two solutions to this evidentiary omission, the first of which is that the seat had originally been made of wood, and thus is no longer extant. Her second (and far bolder) suggestion is that a pierced stone block found in Locus 44, which is adjacent to the L48–53 complex (Figure 12), is actually the displaced seat from this toilet. In his field notes, de Vaux describes the block as “une pierre rectangulaire, percée” and he asks if it might have been “l’élément d’un canal ou d’une cheminée?” (Humbert and Chambon 1994: 307). Thus, though Magness accepts de Vaux’s identification of the piped installation in L51 as a toilet, she suggests his tentative identification of the pierced stone block in L44 as an element of a conduit, or of a fireplace or chimney, is incorrect and that this object is instead the missing toilet seat from L51.

While the description of the block as rectangular and pierced does resemble the description of a variety of ancient toilet seat, such as those found at the City of David, such a brief description – and a complete lack of accompanying measurements, sketches, or photographs – is simply an insufficient basis on which to determine the function of this object and its hypothetical relationship

to an installation in a separate locus. Further, Magness herself admits that she “ha[s] not seen this stone block, and do[es] not know whether it still exists or whether there are any photographs of it” (Magness 1998: 42 n.2), a qualification which does not inspire confidence in the theory she has put forth regarding the block’s function.

3.1.3 Out of Service

According to the published plans of the site, Loci 48 through 53 – which according to de Vaux also included “a washing-place with a stone basin and a large sump” as well as “a store-room where a quantity of iron tools was found” (1973: 7) – went out of use after the earthquake of 31 BC that ended Period Ib (de Vaux 1973: 21; Humbert and Chambon 1994: 72–74; Magness 1998: 38; Figure 13). This fact appears to contradict Charlesworth’s (2002: 58) argument that this installation (which he agrees was a latrine) was added by the Romans during their brief Period III occupation of the site, as well as Magness’s (2005: 278) argument that fecal matter found in soil samples taken by Harter et al. from the L51 installation could have come from the post-68 AD Roman occupation (see below, §3.2.1).

Whether or not this facility was in fact a toilet, it is noteworthy that no evidence whatsoever exists for a latrine at Qumran after Period Ib. If the installation in L51 *was* a toilet, and if it was *not* replaced for the duration of the site’s inhabitation – as seems to be the case – then we may be looking at physical evidence of a significant shift in the attitudes of Qumran’s inhabitants toward defecation and excrement, if not a change in the inhabitants themselves – a possibility which should not be categorically ruled out in light of the available evidence.²³

3.2 Soil Samples and Parasitology

In an effort to further study the toilet practices of Khirbet Qumran’s inhabitants, and to confirm the existence and placement of ancient latrines there, soil samples have been taken from the vicinity of the settlement on two occasions and analyzed for evidence of human excrement in the form of human-borne fecal parasites. Specifically, the teams tested for “helminth eggs, which are excreted from the human body during defecation” (Harter et al. 2004: 580). The first of these studies, published in 2004 by Harter et al., was an analysis of soil taken from within the “cesspit” in L51 at Qumran. The second, published in 2006 by Zias et al., consisted of an analysis of soil samples taken from an area to the northwest of the settlement (the direction prescribed by the Temple Scroll for the placement of latrines).

3.2.1 The Locus 51 ‘Cesspit’

According to Harter, tests of soil taken from the L51 “cesspit” revealed eggs and embryophores of three human-borne helminthes: roundworm, whipworm, and tapeworm, (2004: 581). As both Harter (2004) and Cahill (1991) note, evidence of these parasites strongly suggests the presence of human excrement, which in turn appears to demonstrate that the L51 installation was used at

some point as a latrine. Lime, an agent often used “to sanitize the contents of...latrines by reducing bacterial and fungal activity” (Cahill et al. 1991: 67), was also found in the L51 sample. Soil samples from the aforementioned latrine in Area G of the City of David also revealed whipworm and tapeworm, as well as significant quantities of liming agent in the form of calcareous ash – so much lime, in fact, that “organic fecal residue comprised only 10 percent of the soil tested” (1991: 68).

Cahill further notes that the presence of whipworm eggs in fecal samples suggests poor hygiene and sanitation, as they generally “indicate an infection arising either from the ingestion of fecally contaminated foods or from unsanitary living arrangements in which people came into contact with human excrement” (1991: 68). Harter (2004: 582) suggests that the bath which Josephus says Essenes were required to take after defecating (and which the L48–49 *miqveh* may have been used for) could explain this infection, as the standing water within these pools, which were also used for purificatory baths before meals, would have supported these parasites and allowed for their transfer to members of the community.

The results of this soil testing are intriguing, though they are also accompanied by clear methodological issues. Chief among these is the five decade period which elapsed between de Vaux’s uncovering of the Period Ib occupation of L51 and Harter’s soil testing, though Zias (2006: 480) defends the team’s methodology by noting that the samples tested were retrieved from 50 to 70 cm below the surface to ensure that they had not suffered contamination. Magness (2006: 278) has suggested that the excrement found in the samples could even have come from a period of Roman occupation after 68 AD, though her own stated belief that L51 went out of use after Period Ib ended in 31 BC (2002: 107; see above, §3.1.3) would seem to undermine this suggestion.

3.2.2 “To the Northwest”

As seen above, the Temple Scroll specifically states that the latrines used by the community it describes are to be “to the northwest of the city” (11Q19, 46:13). Though this text describes built facilities in some detail, Zias et al. have sought to synthesize this instruction with Josephus’ description of Essene toilet practices, which refers to the use of “lonely places” for defecation but provides no information about the distance or direction of the chosen locations from a given settlement.²⁴ The team took soil samples up to 30 cm below the surface in areas which fit three criteria: (1) they were to the northwest of the Khirbet Qumran; (2) they were not visible to people at the settlement; and (3) the ground soil in these areas had different coloration as seen from aerial photographs, suggesting significant foot traffic had passed over them (Zias et al. 2006: 634–6).

Evidence of the same three parasites found in the L51 soil samples was found in Zias’s Area A, the farthest northwest sample source (2006: 636). This confirmation that excrement had at some point been deposited there by humans led Zias to declare that the results of the team’s analysis

“confirm the textual evidence in the Scrolls and Josephus for an Essene identification” of the inhabitants of Qumran. “This evidence fits...precisely the description of the Essenes found in Josephus,” they write, “and correlates...well with the practices (in terms of the northwest direction) specified in the Scrolls” (2006: 639).

Perhaps the most obvious problem with Zias’s analysis is the fact that the Temple Scroll’s directions for the placement of latrines were used as a template where convenient, but ignored when their implementation would not have been feasible by those who inhabited Qumran. For example, the directive to place latrines “on the northwest of the city” was used to guide the location from which the team took their soil samples, but the requirement that those latrines be “3,000 cubits from any part of the city” was summarily ignored due to topographic limitations (Zias et al. 2006: 634 n.11), with the samples instead being taken “800–900 cubits from the settlement...at a higher elevation and hidden from public view” (2006: 634). In an effort to make the evidence fit the literary sources, which as noted above do not provide consistent (or compatible) descriptions of, or directions for, toilet practices, Zias et al. have cherry-picked that which fits their opinions and their results, and have simply tossed out that which does not.

The second obvious problem is a methodological one. While evidence of human-borne fecal parasites in Zias’s Area A to the northwest of Qumran may confirm that human excrement has been deposited there at some time prior to the present, that is, quite simply, all this result is able to prove. As Werrett notes, “although we concede that the parasitological evidence recovered by Zias would seem to confirm that the area in question was used as a latrine, the evidence that is currently at our disposal makes it impossible to determine whether the latrine is two years, two hundred years, or two thousand years old” (2008: 485). Zias (2006: 636) does acknowledge this fact in passing, though as seen above he does not allow it to interfere with the certainty of his conclusion.

3.3 The Material Synthesis

As noted above (§3.1 and §3.1.1), the identification of the pipe-and-bell installation in L51 at Qumran as a toilet has not received universal affirmation. Magen and Peleg, for example, see the L48–53 complex as a “facility for the production of perfume” (2006: 65), while A. Baumgarten argues against the presence of a latrine at Qumran at all on the basis that, in his view, the presence of such a facility would render the preferred *Yahad*=Essene hypothesis null and void (see above, n.4). He attempts to bolster his position by separating the Temple Scroll from the excrement-burying Essenes, and from Qumran, by arguing that the built latrines required by the former would create a chronological problem. Fixed latrines “were usually a later phenomenon, associated with a rise in economic standard,” he writes, “yet the supposedly earlier text [the Temple Scroll] adopted the more recent method of eliminating waste,” while Josephus’ Essenes employ the earlier method of defecating in unfixed locations (1996: 14). Regardless of the applicability of

the Temple Scroll to the Essenes and to Qumran, it should be reiterated in light of A. Baumgarten's proposed chronology of latrine development that evidence does exist in this region for built latrine facilities as early as the eighth-seventh centuries BC (Bennett 1974: 8–9; see also above, §3.1.2).

In the light of the available evidence, it appears the installation in L51 at Qumran was most likely a rudimentary cesspit toilet, though absent the discovery of a toilet seat and a bowl for “flushing” the toilet with water and/or lime, as was found alongside the City of David toilets, this cannot be confirmed beyond doubt or argument. While Harter's tests may provide scientific support for the defecatory use of this installation at some point in history, the inability to prove beyond doubt that the samples taken truly date to pre-31 BC at Qumran and are free of contamination limits their influence on the identification of this facility as a Period Ib toilet. The effectiveness of Harter's contribution to the debate over the function of the L51 installation is further limited by the significant number of analytical and interpretive problems in the article in which their finds were published (these have been noted in some detail by Magness [2005], and responded to by Zias [2006]).

The results of Zias's testing of soil samples from Area A to the northwest of Qumran, on the other hand, are even less conclusive. Though they appear to demonstrate the presence of human fecal material beneath the surface of the soil, the simple inability to date that material greatly limits its usefulness in this discussion. Though evidence of excrement does raise interesting possibilities with regard to the Qumran community – particularly in light of the apparent disappearance of any toilet facilities within the settlement after the 31 BC destruction – no further conclusions can be drawn from Zias's study without engaging in inadvisable speculation.

4. DISCUSSION

When the relevant Dead Sea Scrolls, Deut. 23:13–15, and the Josephan description of the Essenes' unique toilet practices are taken as a whole, one fact becomes abundantly clear: they cannot be taken as a whole. In other words, these four texts present four pictures of latrine placement and toilet practices that are different enough from each other that they are simply unable to coexist as descriptions of, or instructions to, the same group of people at the same time. This is self-evident from such contradictions as the instructions on latrine placement in 11QT (3,000 cubits) and 1QM (2,000 cubits), as well as the biblical commandment to bury excrement, which matches Josephus' description but which contradicts 11QT's instruction to utilize built latrines.

Magness has attempted to thread the contradictory needle by suggesting that 11QT, 1QM, and *War* each cover a different aspect of the same people's practices, with the former two describing those observed “in the ideal city of Jerusalem” and in “the war camps at the end of days,” respectively (2002: 109). Josephus' description, while appropriate to the time in which it was set, ap-

plies only to those Essenes who “did not have access to built latrines in permanent settlements,” according to Magness (2002: 109). Those who did have access to facilities in their places of residence, on the other hand, would ostensibly have been willing (and allowed) to use them. However, while she may be correct that neither Josephus nor the relevant DSS provide complete and current accounts of their subjects’ practices, Magness’s overall proposition appears untenable in light of the fact that Josephus acknowledges that Essenes “dwell in every city” (2.8.4:124) but still offers only one description of their toilet practices, which is presented in such a way as to appear applicable to all members of this sect, regardless of whether or not they lived in cities where built latrines were available.

There is one area of agreement between Josephus’ *War* and the relevant DSS which is particularly interesting: the prohibition against defecating on the Sabbath. It has been noted above that the Temple and War Scrolls’ restrictions on latrine placement with regard to the ideal city or war camp reflects concern for purity in the presence of the Lord and His angels. When viewed in the light of restrictions on Sabbath day travel, though, the Temple and War Scrolls’ respective requirements for the location of the “place of the hand” had the secondary effect of making it unreachable on the Sabbath, a result which would appear to put the subjects of those texts in the same position as Josephus’ Essenes in terms of refraining (or being forced to refrain) from defecating on the Sabbath. A. Baumgarten notes that the Temple Scroll’s requirement to place latrines 3,000 cubits from the camp “effectively prohibited defecation on the Sabbath...when one may walk only 2,000 cubits outside camp” (2006: 11 n.26; cf. also VanderKam, 1994: 113). However, the distance restrictions included in both the Temple *and* War Scrolls exceed the allowable walking distance on the Sabbath according to the Damascus Document, which was not the 2,000 cubits cited by A. Baumgarten above, but *one* thousand cubits (4Q279, 10:21).²⁵

When it came to Josephus’ Essenes, distance may not have been the only (or even the key) factor. Yadin, for example, has suggested that even if the Essenes had been allowed to travel the distance necessary to relieve themselves on the Sabbath, they would have refrained because doing so would have necessitated their performing the act of digging a hole in which to go (1962: 75). As VanderKam (1994: 113) notes, such a restriction would have required that people “plan carefully so as not to defile the seventh day.” Magness takes this one step further by suggesting that, if Josephus is correct about Essene practices regarding defecation on the Sabbath, and if the Qumranites of period Ib were, in fact, Essene (a position she holds), then “the inhabitants may have refrained from using the toilet in Locus 51” on the seventh day of each week, as well (1998: 39). Zias agrees with Magness that Qumran was an Essene settlement, and that the L51 installation was a toilet; however, he argues that its purpose was primarily for “faecal emergencies,” rather than for daily non-Sabbath use (2006: 482; cf. also Harter et al. 2004: 583).²⁶

The crux of this matter is the question of whether the supposed Essene resistance to defecation on the Sabbath reflected an attempt to practice strict avoidance of labor, or an effort to remain

pure on the seventh day. In their theories about the selective use of the toilet in L51, both Zias *et al.* and Magness appear to have “embraced the healing power of ‘and’,” as the saying goes, tailoring their use of the available evidence to fit with Josephus’ account as well as with the relevant Scrolls. It is important to concede that they *may* be entirely correct in their conclusions. However, a reading of the Temple and War Scrolls, combined with 2.9.147 of Josephus’ *War*, suggests that the Essenes’ unique Sabbath toilet practices were a side effect of their strict avoidance of work on the seventh day, while 148–149 of *War* suggests that a key issue for the Essenes, if not *the* key issue, was purity.

Given the fact that the toilet in L51 required neither travel nor hole-digging on the part of those living at Qumran, using the facility should have been as acceptable on the Sabbath as on any other day – unless purity, rather than work, *was* in fact the issue of primary concern to the Qumranites. Josephus’ Essenes regarded the act of defecation as a source of pollution, and therefore, this argument holds, they refrained from “go[ing] to stool” on the Sabbath so as not to defile themselves. However, Josephus’ description of the Essenes’ treatment of defecation “as if it were a defilement to them” is not incorporated into his explanation of their Sabbath observance, but of how they treat this activity on the other six days of the week. The context in which the Essenes’ refusal to “go to stool” on the Sabbath is mentioned, on the other hand, is that of their uncharacteristic strictness “in resting from their labors on the seventh day” (2.9.147).

If purity was a significant enough issue for the Qumranites to avoid using the facility in L51 on the Sabbath – let alone the chief issue governing their overall toilet practices – then the obvious next question is why such a source of impurity as a toilet would have been tolerated in the settlement at all (let alone why it would have been acceptable to utilize this facility on any other day of the week). It is this apparent contradiction which has, at least in part, led A. Baumgarten to not only to conclude that the L51 facility is not a latrine, but to declare that, “if a latrine is ever definitely found at Qumran, I would take that as conclusive evidence that Qumran was not Essene” (2006: 11 n.26; cf. also 2004: 186).

5. CONCLUSIONS

As we have seen, the literary sources often associated with toilet practices at Khirbet Qumran present irreconcilable pictures of proper latrine placement and toilet practices. Attempts to combine these texts in such a way as to support theories regarding the identification of the group at Qumran (and the relationship of that group to the Dead Sea Scrolls) have largely consisted of the cherry-picking of lines and details from different texts, and of ignoring those portions which present obstacles to those theories. Further, the presence of a toilet in Locus 51 at Qumran poses a significant challenge to the long-lived (and ongoing) “attempt[s] to blend or superimpose the concepts of the ‘Qumran community’ and the ‘Essene community’” (Humbert, 2006: 20). Unfor-

tunately, rather than contributing to consensus on the topic, the introduction of this material evidence into the discussion appears to increase this selective evaluation and positional polarization.

When each evidentiary point is considered in isolation, the differences become more apparent. Of our four relevant texts, we have two which refer to the burial of excrement; two which provide (contradictory) minimum distances from the camp or city for the placement of the “hand”; one which requires the construction of outhouses; and four which demand that defecation be carried out beyond the environs of the camp or city so as not to offend the divine presence therein. Materially, we appear have a cesspit latrine within the main building of the Qumran settlement, which goes out of service at the end of Period Ib of the site’s occupation, as well as soil samples from a distance to the northwest of the settlement (in a direction specified by one of the literary sources, but at a distance which matches none of them) which provide undated evidence of human excrement.

Clearly, the available evidence does not suggest an easy, all-inclusive answer to the question of the Qumranites’ identity or their relationship to the Dead Sea Scrolls. Given this, and given the inability of previous conclusions to unlock the Gordian knot of contradictions which the literary and material evidence has created, it is of vital importance that preconceptions be left aside and the evidence allowed to speak for itself. This requires, for example, a willingness to accept that the Temple Scroll was most likely not thought by the inhabitants of Qumran to apply to their own community, or to consider, for another example, the possibility that Josephus’ description of Essene toilet practices does not match those engaged in by the Qumranites, regardless whether or not they self-identified as Essenes.

The first conclusion to be drawn from this evidence is that the relevant Dead Sea Scrolls were not considered by the Qumranites to be literally and directly applicable to their community. The most basic reason is one of simple geography, which prevents the placement of latrines 2,000 to 3,000 cubits from the settlement as prescribed in 1QM and 11QT respectively. The conclusion is further supported by the presence of a toilet within the site during Period Ib (pre-31 BC), which directly contradicts not only the DSS, but the Deuteronomic requirement, as well. This does not necessarily mean that 11QT, 1QM, and the rest of the DSS were not produced by, or related to, the people living at Qumran (cf. n.25 above), and it certainly does not mean that Deuteronomy was not considered an authoritative text by the Qumranites; however, it should go without saying that care must always be taken not to assume that the mere fact that something was written in a Dead Sea Scroll or a biblical text automatically means it was thought by the Qumranites to be directly applicable to their own community.

The second conclusion is that, at least during the Period Ib phase of settlement, the inhabitants of Khirbet Qumran did not conduct themselves in the manner Josephus associated with the Essenes. As noted above, attempts have been made to defend the Qumran–Essene connection in

Period Ib by arguing that the toilet in L51 was used in abnormal ways, such as on non-Sabbath days only (Magness 1998: 39), or for the express purpose of “fæcal emergencies” (Harter et al. 2004: 583; Zias 2006: 482). While these theories cannot be categorically disproven, it is the author’s opinion that a conclusion based on a straightforward reading of the available evidentiary points is generally preferable to theories which rely on complex and selective readings of the evidence for support, and which create new questions in the process of answering or displacing the old.

The third and perhaps most significant conclusion, drawn solely from the material evidence, has to do with the L51 toilet and the timeline of inhabitation at Khirbet Qumran. As seen above (§3.1.3 and n.23), de Vaux thought it likely that the same group re-inhabited Qumran after the 31 BC destruction, due in large part to the similar layout and use of the site’s buildings. However, such a fundamental change as the removal of a toilet from within the site demonstrates that more happened between 31 BC and the site’s reinhabitation than the simple passage of a few years. Though an absence of evidence should not be confused with evidence of absence, the apparent lack of latrine facilities within the settlement during the post-31 BC occupation suggests either a change in the core beliefs of the site’s inhabitants, or a change in those inhabitants themselves. These respective developments seem most likely to signify either the adoption of practices more in keeping with those Josephus associates with the Essenes by the inhabitants of Qumran, or the arrival of people who already observed such practices, either as new occupiers of the site or as augmentees of the original group.

In conclusion, the material evidence for toilet practices at Khirbet Qumran in the pre-31 BC period, which includes a cesspit toilet in Locus 51, appears to be incompatible with the literary sources most commonly associated with the site and its inhabitants. Further, the relevant texts frequently contradict each other on the topics of latrine placement and toilet practices. Though explanations for, and end-runs around, these contradictions have been put forward by scholars of Qumran and the DSS, future evaluation of the site and the Scrolls should take into account these and other potentially incompatible evidentiary points. It is only in this way that we can ensure that the resulting conclusions will be based strictly on the whole of the available evidence, rather than on selectively chosen evidentiary points or questionable interpretations based solely on partial consideration of the available material.

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FIGURES

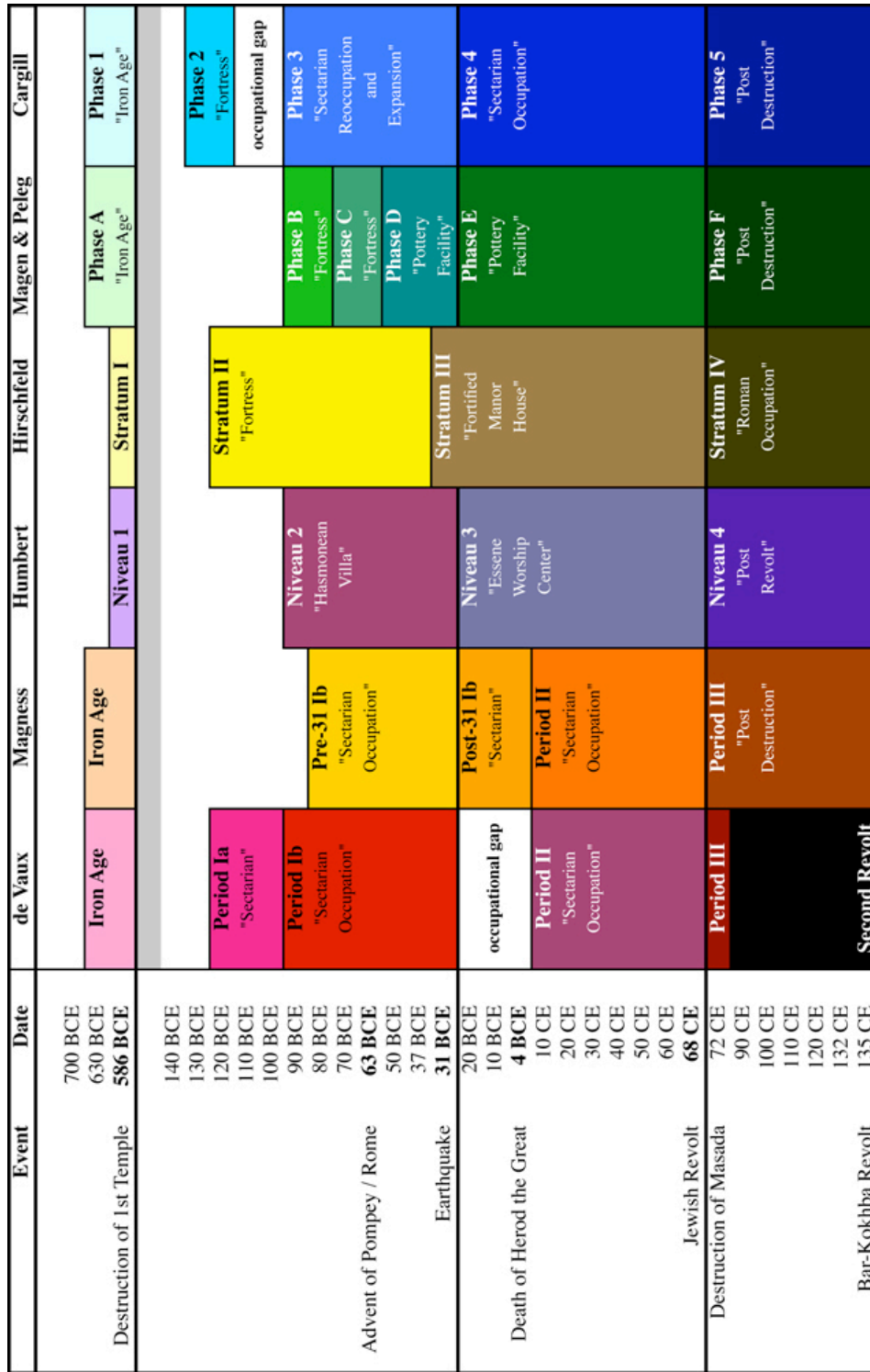


Figure 1. Comparative chronologies of the settlement at Khirbet Qumran (retrieved from http://www.nelc.ucla.edu/qumran/photos/Qumran_chronology_chart.jpg).

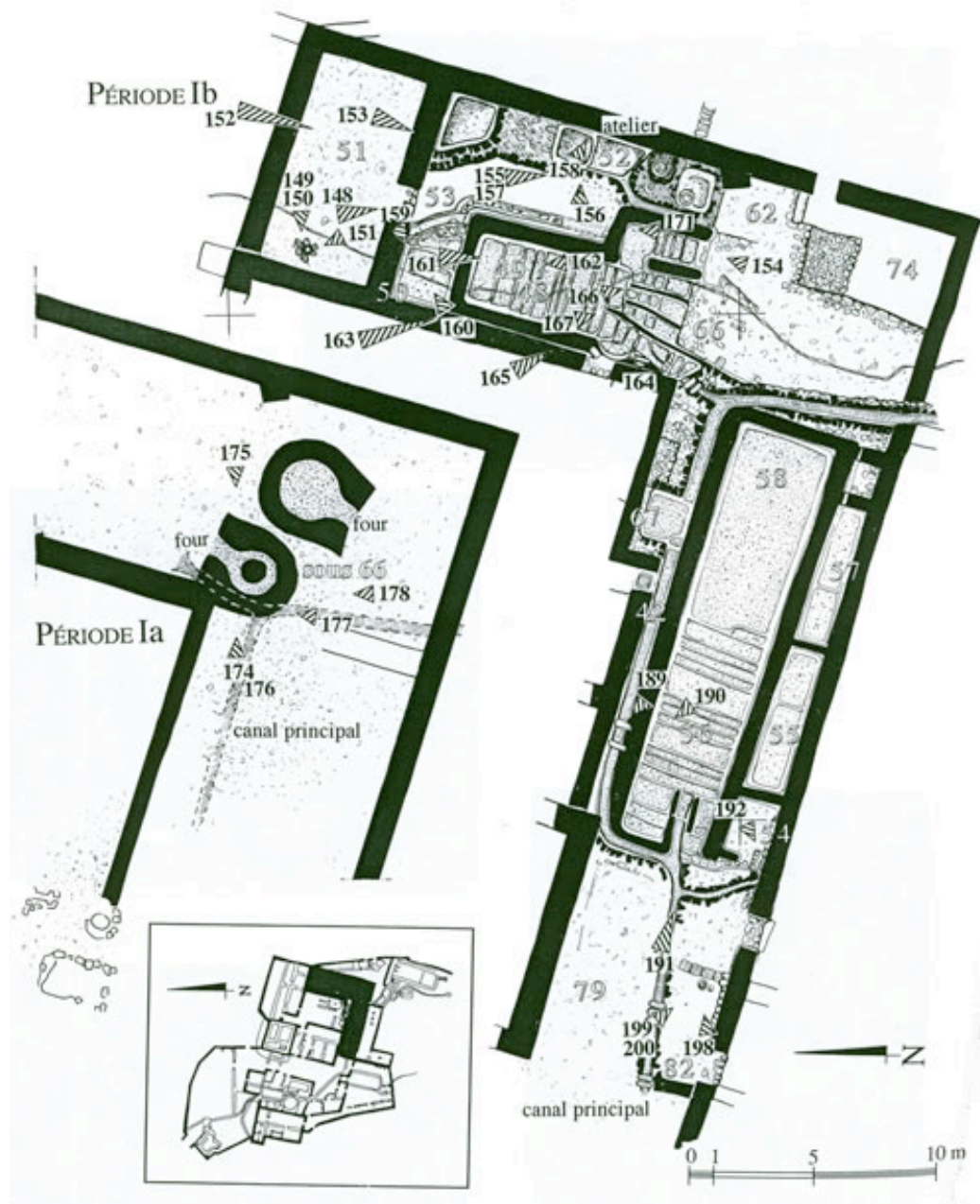


Figure 2. Plan of the southeastern portion of the complex at Khirbet Qumran in Period Ib. Locus 51, with its possible toilet, is at top (Humbert and Chambon, 1994: 72).



Figure 3. Adze-axe from Cave 11, thought by de Vaux to be an example of an Essene hatchet used to bury excrement (De Vaux, 1959, Pl. 1).



Figure 4. Qumran “toilet” in L51, captioned “la jarred receptacle” by de Vaux (Humbert and Chambon, 1994: 75, Fig. 150).



Figure 5. Qumran “toilet” in L51; captioned “detail du conduit sommital” by de Vaux (Humbert and Chambon, 1994: 75, Fig. 151).



Figure 6. Qumran “toilet” in L51; captioned “les latrines (?) période Ib” by de Vaux (Humbert and Chambon, 1994: 75, Fig. 149).



Figure 7. Second century A.D. Roman latrine at Ephesus. “The benches of Roman latrines were made of wood, stone or marble, and the apertures led to sewer lines that flushed away the waste” (Koloski–Ostrow, 2004, Fig. 2).

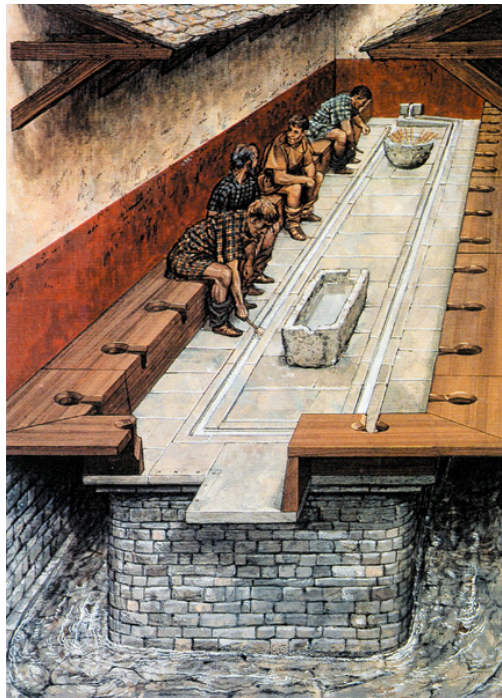


Figure 8. A Roman latrine from Britain. (Illustration by Peter Connolly, via Koloski–Ostrow, 2004, Fig. 4).



Figure 9. Kitchen with *latrinus* in a second century AD Roman house at Augusta Raurica in the province of Germania Superior. (The figure pictured is a mannequin; image retrieved from http://wwwedu.ge.ch/co/seymaz/caesaris-domus/images/augst/augst_domus_cuisine_g.jpg)



Figure 10. Limestone toilet seat from Area E3 of the City of David. The bowl at left may have been used to “flush” the toilet with water, forcing the waste down into the cesspit, or it may have been used to sprinkle lime into the facility (Cahill et al., 1991: Fig. 1).



Figure 11. Limestone toilet seat from Area G of the City of David (Cahill et al., 1991: Fig. 3).

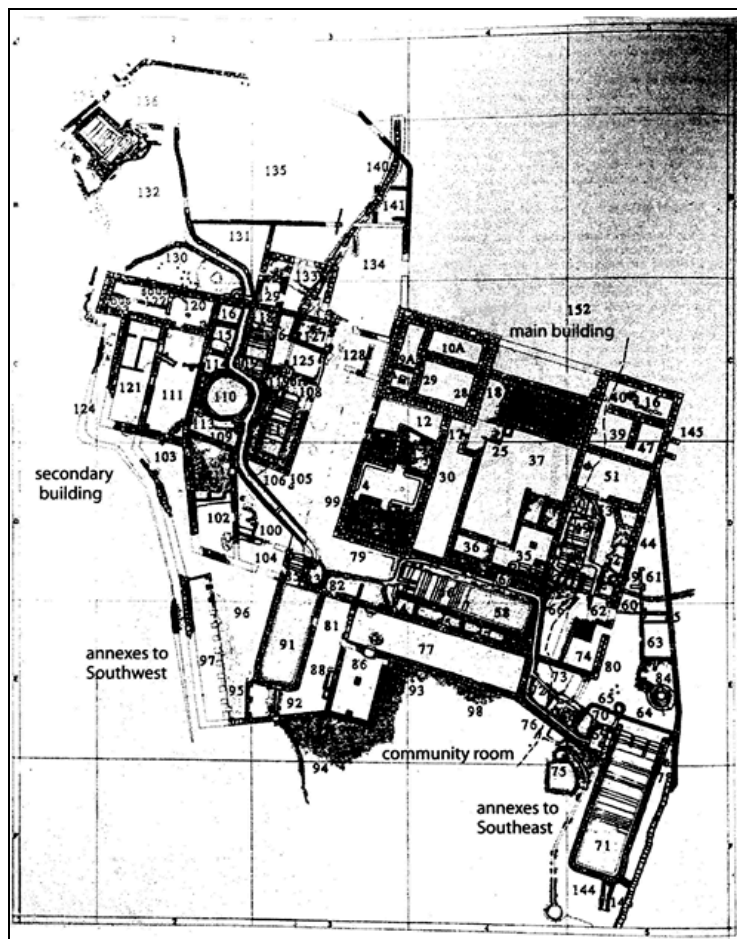


Figure 12. Plan Khirbet Qumran in Period Ib. Locus 44 is in section 5D at right (Magness, 2002, fig. 7)

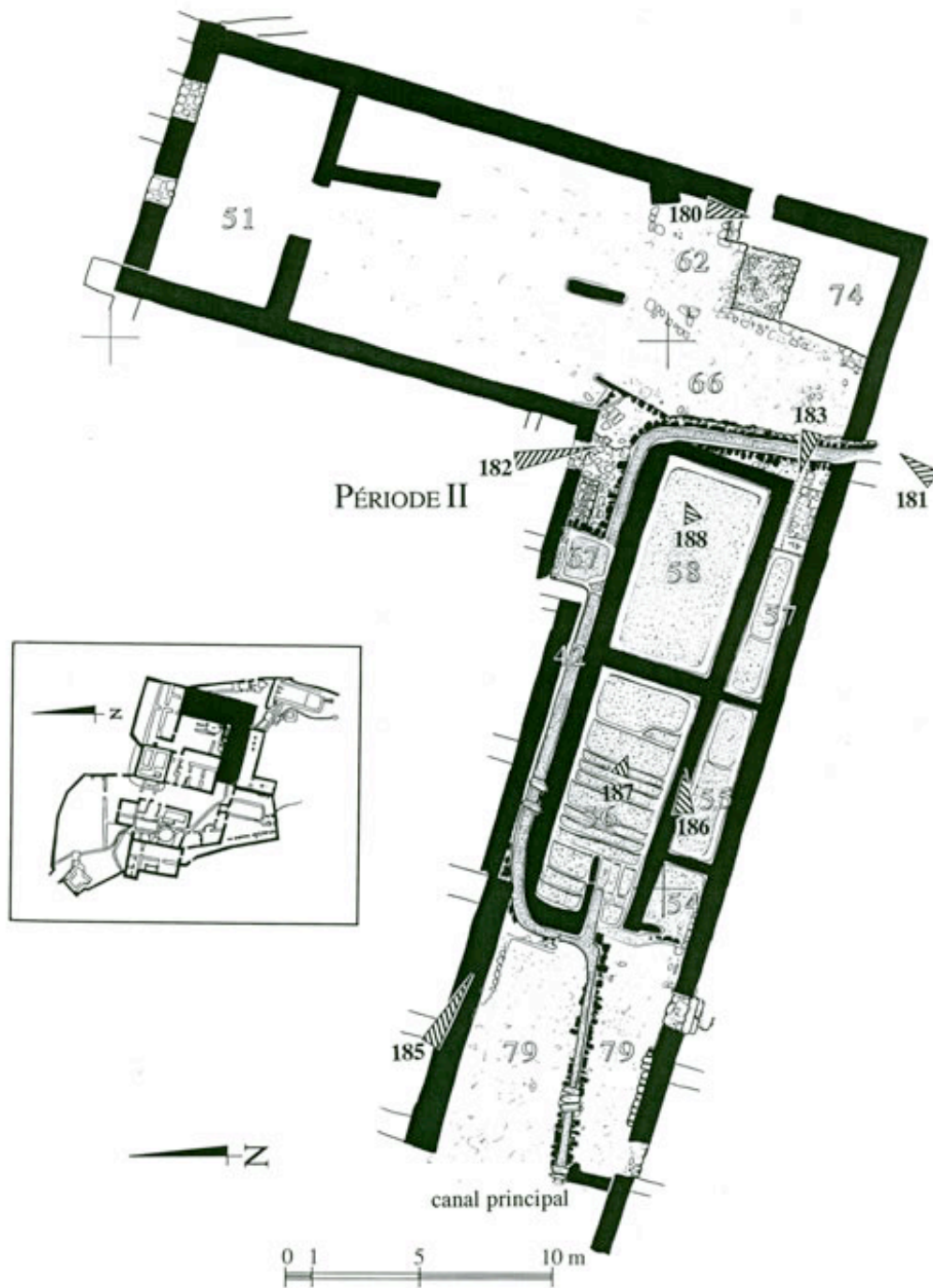


Figure 13. Plan of the southeastern portion of the complex at Khirbet Qumran in Period II (Humbert and Chambon, 1994: 73).

NOTES

¹ The term “Essenes” is used within this paper specifically to refer to those Jews to whom Josephus referred by that term, and who ostensibly lived according to the description he presented (particularly *JW* 2.8.9 §147–149).

² E. L. Sukenik, *The Dead Sea Scrolls of the Hebrew University* (Jerusalem: Magnes, 1955), 29. The majority of scholars accept the identification of the Qumran sect and the Dead Sea Scrolls with the Essenes; see, e.g., Roland de Vaux, “Une Hachette Essénienne?,” *VT* 9:4 (1959), 399–407; *Archaeology and the Dead Sea Scrolls* (London: Oxford University Press, 1973); Yigael Yadin, *The Temple Scroll: The Hidden Law of the Dead Sea Sect*, vol. 1 (New York: Random House, 1985); Todd S. Beall, *Josephus; Description of the Essenes Illustrated by the Dead Sea Scrolls* (Cambridge: Cambridge University Press, 1988); James C. VanderKam, “The People of the Dead Sea Scrolls: Essenes or Sadducees?,” Pp. 50–62 in *Understanding the Dead Sea Scrolls: A Reader from the Biblical Archaeology Review*, ed. Herschel Shanks (New York: Random House, 1992); Jean-Baptiste Humbert, “L’espace Sacré a Qumran: Propositions pour l’Archéologie,” *RB* 101:2 (1994), 161–214; Joe Zias, “The Cemeteries of Qumran and Celibacy: Confusion Laid to Rest?,” *DSD* 7:2 (2000), 220–253; Jodi Magness, *The Archaeology of Qumran and the Dead Sea Scrolls* (Grand Rapids: Eerdmans, 2002); Ian Werrett, “A Scroll in One Hand and a Mattock in the Other: Latrines, Essenes, and Khirbet Qumran,” *RQ* 23:4 (2008), 475–489. For further summary and bibliography, see VanderKam, “Identity and History of the Community,” in *The Dead Sea Scrolls After Fifty Years: A Comprehensive Assessment*, vol. 2, ed. Peter W. Flint and James C. VanderKam (Leiden: Brill, 1999), 488–99. While others disagree (notably, *inter alia*, Schiffmann, 1992; Golb, 1995; A. Baumgarten, 2004; Magen and Peleg, 2006; and see Mason, 2008 in particular for a succinct but effective cataloging of contradictions between the *Yahad* of the Scrolls and Josephus’ Essenes), Ullmann–Margalit notes that the Qumran=Essene detractors “have generally done a better job of poking holes at the mainstream theory and of pointing out its flaws and failings than at proposing coherent alternative theories with comparable explanatory power” (2008: 86; cf. also A. Baumgarten, 2004: 181 and Zias et al., 2006: 638–9). She further notes that the Essene association with Qumran is likely to remain the dominant theory “in the absence of good or conclusive reasons to switch to an alternative... In other words, unless and until an alternative theory wins you over, you stick with the Qumran–Essene theory, regardless of whether you might consider it less than compelling and regardless of how many faults you may actually find with it” (2008: 66).

³ Yadin (1962: 73 n.3) suggests this “euphemism” for a place where people relieved themselves originated from the placement of “a sign...at the place of easement (perhaps originally in the form of a hand),” which eventually became the name for the place itself. As Werrett notes, the phrase ‘a place of the hand’ is “unattested in the Bible; however, the area set aside for relieving oneself outside of the war camp in Deut. 23:12 is described as the יָד [yd ‘hand’]” (2007: 158 n.121). Further, Charlesworth (1994: 33) and Wise et al. (2006: 127) apply this euphemistic use of ‘hand’ to 1QS 7:13–4, which the latter renders as “Anyone who brings out his penis from beneath his clothing – that is, his clothing is so full of holes that his nakedness is exposed – is to be punished by thirty days’ reduced rations.” Others (e.g., Vermes, 1997: 108) do not follow Charlesworth and Wise, instead maintaining the literal meaning of yd ‘hand’. However, Charlesworth maintains that the equation of yd ‘hand’ with “penis” is not only correct in the Qumran texts – a hypothesis he supports by differentiating between the use of yd in l. 13 and the specific reference to “Whoever stretches out his *left* hand...” in l. 15, a distinction he suggests is drawn precisely to differentiate between the euphemistic and literal meanings of ‘hand’ (1994: 33 n.188; cf. 33 n.185 for yd=penis in Ugaritic).

⁴ The polluted status of defecation (or, more correctly, of feces) is alluded to in the Bible at Ezekiel 4:12–15, Proverbs 30:12, and in the aforementioned Deut. 23:13–15. A. Baumgarten sees the unique defecatory practice described by Josephus as *the* diagnostic characteristic of the Essenes and of Essenism, even writing that the suggestion that some Essenes may have relieved themselves in some other way, or in a permanent facility, “empties the term ‘Essene’ of all meaning... It is as if one said that some Christians believed that Jesus was the messiah, while other Christians believed that the messiah had not yet come” (2004: 186; cf. also 1996: 12 and 2006: 11 n.26).

⁵ See Petrie (1917: §4: 5) for an explanation of the criteria for adzes, axes, and adze-axes. The blade to which that found in Cave 11 can be favorably compared is described by Petrie as belonging to a “class of large adze-axes [which] resembles the modern mattock. The reason for this may be that they were for working in woodland, where a main need was the cutting of roots, so that an adze edge was required” (§34: 15; cf. also de Vaux, 1959: 399 n.3).

⁶ De Vaux writes, “*Tout cela étant dit sur l’ $\alpha\chi\iota\nu\iota\delta\iota\omicron\nu$ des Esséniens, on ne peut pas démontrer que la hachette-piochette retrouvée dans la grotte 11 de Qumran est un outil essénien: elle a pu servir, entre n’importe quelles mains, au travail du bois pour lequel elle est premièrement faite. On ne peut pas davantage démontrer qu’elle n’est pas un outil essénien: elle correspond à ce que Josèphe dit de l’ $\alpha\chi\iota\nu\iota\delta\iota\omicron\nu$ qui est comme une $\sigma\chi\alpha\lambda\iota\varsigma$ et elle a pu servir au même usage particulier*” (1959: 406).

⁷ JPS translation (Berlin and Brettler [Eds.], 2004).

⁸ It should be noted that Josephus’ description of the Essenes’ modesty and burial of excrement appears to be unique to this Jewish sect, whereas the regulation in Deuteronomy applies to the entire population of the war camp.

⁹ One Roman Cubit (*Cubitus romanus*) = 444.4 mm, or 17.5 in (Lelgemann, 2004: 4). Using Roman cubits as the measuring standard for latrine placement, the Temple Scroll is calling for facilities to be placed a minimum of three quarters of a mile from any part of the ideal city described in its text.

¹⁰ Though the Temple Scroll is often assumed to refer to an ideal Jerusalem, the city in which it is set is never actually named within the text.

¹¹ Levine, on the other hand, suggests that “All that the Scroll requires is that everyone exit the large temple complex projected in the Scroll, to use toilet facilities outside its walls,” a reading which, if correct, gives “much less warrant for seeing in the Scroll’s provisions...sectarian asceticism or extreme rigidity” (1978: 17).

¹² J. Baumgarten leans on the Damascus Document to support his argument, an act of “read[ing] one text from Qumran in light of another” which Werrett (2007: 175) warns is “problematic” – and one for which Baumgarten notably chides Yadin in the same article (1978: 588). Regarding J. Baumgarten’s reading of the Temple Scroll “in light of” the Damascus Document, Werrett notes that, “in contrast to the Damascus Document’s description of a tainted yet very real Temple [which], though defiled by the actions of the current priesthood, was adequate for the purposes of the cult..., the Temple Scroll describes a non-existent utopian complex that never saw the light of day” (2007: 176; cf. also 112 n.5).

¹³ Manuscript B (4Q491) reads, “And there shall be two thousand cubits between the [camps and the latrine, so] no nakedness might be seen in their surroundings” (7–8). This distance is reminiscent of the 2,000-cubit distance from the Ark of the Covenant which Joshua was to maintain during the crossing of the Jordan (Josh. 3:4).

¹⁴ Measurements were not included in de Vaux’s field notes as published by Humbert and Chambon (1994: 307; 2003: 30–1). The dimensions given here are calculated by the author from the published pho-

tographs of this installation, and thus should be considered approximations put forth in the absence of firsthand information. The approximate measurements result in a container which holds under 30 gallons of material.

¹⁵ Scobie notes that “literary evidence concerning sewers and latrines in the Roman world is extremely meager...there is nowhere extant a description of either a public or private Roman latrine, and no account of their administration,” a fact which he suggests is “due to the fact that the presumed knowledge of normal practice made such a discussion unnecessary” (1986: 401, 408).

¹⁶ Beebe declares that “the convenience of indoor latrines could not be denied families once they were introduced by Hellenistic home builders” (1975: 95).

¹⁷ Public baths and fountains were connected to drainage systems in Roman cities, and overflow from these served to flush city sewers and streets alike (the latter often being covered in waste as a result of poorer, *insula*-dwelling residents emptying makeshift chamber pots out of their windows and onto the streets [Ashby, 1935: 46; Scobie, 1986: 408; Aldrete, 2004: 79]). However, even those houses with latrines appear to have been only rarely, if ever, attached to this drainage system; instead, waste was usually collected in cesspits which required periodic emptying (Lanciani, 1967: 31; Scobie, 1986: 409; see below). Likewise, the installation in L51 at Qumran, whether a toilet or not, does not appear to have been connected in any way to the impressive water system at that site, meaning that if it was a latrine, it was almost certainly of the cesspit variety (Humbert and Chambon, 1994: 74, 309).

¹⁸ In Roman cities, manure merchants made a portion of their living hauling away built-up excrement from such cesspits (Scobie, 1986: 407; Jansen, 1991: 156; Hodge, 1992: 336, 476 n.14).

¹⁹ See, for one example out of many, the kitchen-and-lavatory complex constructed at Pompeii’s *Casa Dei Capitelli Colorati* between 62 and 79 AD (Sear, 2006: 181–4).

²⁰ Though offered as a tongue-in-cheek explanation for such placement of a latrine facility, N. J. Norman’s proposal that the kitchen and *latrinus* were collocated in Roman households at Augusta Raurica because it seemed natural to put the two smelliest parts of the house together may not be altogether off the mark (personal communication).

²¹ Regarding the drainage system which Hirschfeld appears to consider a requirement for the presence of an indoor toilet, Carcopino writes, “The drainage system of the Roman house is merely a myth begotten of the complacent imagination of modern times. Of all the hardships endured by the inhabitants of ancient Rome, the lack of domestic drainage is the one which would be most severely resented by the Romans of today” (1940: 52; cf. also Hodge, 1992: 477 n.16)

²² These installations, found with limestone toilet seats intact covering the cesspits, represent the only discovery of toilet seats *in situ* in the City of David. A square block resting under rubble at the bottom of a photograph published by Kenyon (1967, Pl. XIII B), which appears identical to these seats, has been identified by Cahill as an out-of-context toilet seat (1991: 65). Additionally, the early 20th c. ‘Parker Expedition’ to Jerusalem may have found a stone toilet seat, as well. According to Vincent, “The strangest specimen we found here, beneath the *debris*...and close to the bedrock itself, was a magnificent chair of ‘royal’ stone, which was at once saluted by our workmen as ‘the throne of Solomon.’ I fear its actual destination was at once more private and more naturally necessary” (1911: 29).

²³ De Vaux believed that the same group that had inhabited Qumran before the destruction of 31 BC reoccupied it in Period II, after what he called an abandonment period “of short duration” (1973: 24), though a mere ten pages later he presents numismatic evidence to demonstrate that this abandonment lasted until 9/8 BC at earliest, and 1 BC/1 AD at latest (1973: 35). “The community which came to re-settle Khirbet

Qumran,” he writes, “was the same as that which had left it. The general plan remained...the same, and the principal elements were put to use once more for the purposes for which they had originally been intended. The necessary clearance and repairs were made, but only secondary modifications were introduced to the buildings” (1973: 24).

²⁴ As with the commentary offered in their 2004 publication of the L51 soil samples (Harter et al., 2004), Zias’s 2006 report contains misstatements regarding the ancient sources. This includes the statement that, “Following the description in Josephus, we sampled the soil to the northwest of the site...” (2006: 634). In fact, as can be seen above (§2.1), Josephus’ *War* provides no information about a specific direction in which the Essenes regularly traveled to relieve themselves.

²⁵ The Damascus Document allows for walking “up to two thousand cubits...behind an animal to graze it outside his city” (4Q279, 11: 5–6). Yadin (1962: 74) interprets this as meaning that “either going to relieve oneself was included in the boundary of 2,000 cubits, or if the hand was placed at a distance of 2,000 cubits, members of the sect were unable to go out and perform their needs on the Sabbath.” However, the specific association of the 2,000–cubit limit with grazing animals appears to suggest that it is the only exception to the 1,000–cubit limit set in 10:21, meaning one of the few opportunities to get away with relieving oneself on the Sabbath would be to do so while grazing one’s flock or herd outside the 2,000 m. radius (and therefore out of sight of the rest of the community). It is important to note that this reading of 11QT and 1QM in the light of CD should not be taken as an assumption that any of these documents were viewed by the Qumranites to be directly and literally applicable to their community (see below, §5).

²⁶ Harter notes that the illnesses associated with the parasites recovered from the L51 soil samples include dysentery and other digestive issues, which may, in turn, have made this toilet the cause of the “faecal emergencies” to which Harter argues its use may have been limited. (2004: 583). Klawans says of Magness’ theory that “these observations are not unreasonable...but it is valid to point out that this kind of logic could allow interpreters to accommodate almost any contradiction between the archaeological and literary evidence” (2010: 394). A. Baumgarten is less diplomatic in his criticism, writing that, “if there was a latrine at Qumran, its implications for the identity of the group should not be averted by intellectual acrobatics of the sort attempted by Magness” (2004: 186).